

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

RONALD JACKSON, et al.,

Plaintiffs,

vs.

THE BOARD OF TRUSTEES OF  
WOLF POINT, MONTANA,  
SCHOOL DISTRICT NO. 45-45A, et  
al.,

Defendants.

CV-13-65-GF-BMM-RKS

**FINDINGS AND  
RECOMMENDATION TO ADOPT  
PROPOSED CONSENT DECREE**

This case concerns malapportionment of voter districts in the Wolf Point School District, which violates the equal protection clause of the Fourteenth Amendment to the United States Constitution. The parties jointly filed a proposed Consent Decree, setting forth a plan to remedy the malapportionment. Doc. 70.

The court FINDS:

1. The parties have stipulated to all elements of the proposed Consent Decree.

2. The Consent Decree sets forth a plan that fully and fairly address the malapportionment.
3. The stipulated plan appears to comply with legal requirements, including the formation of voting district nearly equal population. See *Reynold v. Simms*, 377 U.S. 533 (1964) (Equal Protection requires state subdivision to make an honest and good faith effort to construct districts as nearly of equal population as is practicable).
4. The parties knowingly and willingly agreed to the terms of the proposed Consent Decree.
5. The plan set forth in the proposed Consent Decree is in the interest of justice because it will provide greater fairness in the election of trustees to Wolf Point School District.

The court RECOMMENDS:

1. The District Court should adopt the proposed Consent Decree, Doc. 70, in full.

**NOTICE OF RIGHT TO OBJECT TO FINDINGS AND  
RECOMMENDATIONS AND CONSEQUENCES OF FAILURE TO  
OBJECT**

The parties may serve and file written objections to the Findings and Recommendations within 14 days of their entry, as indicated on the Notice of Electronic Filing. 28 U.S.C. § 636(b)(1). A district judge will make a de novo determination regarding any portion of the Findings and Recommendations to which objection is made. The district judge may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written

objections may bar a de novo determination by the district judge.

Dated the 14<sup>th</sup> day of March, 2014.

  
Keith Strong  
United States Magistrate Judge